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REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL
ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS
(2 August 1989–28 November 1990)

TWENTIETH SPECIAL SESSION: 8 JANUARY 1990
FIFTY-SEVENTH SESSION: 21 MAY–28 NOVEMBER 1990

SECURITY COUNCIL OFFICIAL RECORDS

FORTY-FIFTH YEAR
SPECIAL SUPPLEMENT No. 1

UNITED NATIONS





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**UNITED NATIONS
New York, 1991**



NOTE

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S/22212

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CONSIDERATION OF THE DISPATCH OF A VISITING MISSION TO OBSERVE
A PLEBISCITE ON 6 FEBRUARY 1990 IN PALAU ON THE COMPACT OF
FREE ASSOCIATION

A. Introduction

1. In a letter dated 19 December 1989 addressed to the Secretary-General, 1/ the Permanent Representative of the United States of America, under rule 3 of the rules of procedure of the Trusteeship Council, requested the convening of a special session of the Council to consider the dispatch of a mission to observe a plebiscite in Palau on the Compact of Free Association to be held on 6 February 1990. Since the request received the support of the majority of delegations, the Council convened the twentieth special session of the Council, which held one meeting, on 8 January 1990.

B. Adoption of the agenda

2. At its 1673rd meeting, on 8 January 1990, which marked the opening of the twentieth special session, the Trusteeship Council adopted, without objection, its provisional agenda contained in document T/1941/Rev.1 (see annex to the present section).

C. Election of the President and the Vice-President

3. At the same meeting, Mr. Thomas L. Richardson (United Kingdom of Great Britain and Northern Ireland) and Mrs. Anne Gazeau-Secret (France) were unanimously elected President and Vice-President, respectively, of the Council.

D. Report of the Secretary-General on credentials

4. At the suggestion of the President, the Trusteeship Council decided that since the Secretary-General had not received the credentials of all members of the Council, it would take up the report of the Secretary-General on credentials for the twentieth special session at its fifty-seventh regular session.

5. In accordance with rule 12 of its rules of procedure, the Trusteeship Council decided, without objection, to accede to the requests of Fiji and Papua New Guinea and invited them to participate, without the right to vote, in the Council's deliberations.

Decision

6. During its fifty-seventh session, at its 1680th meeting, on 30 May 1990, 2/ the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General on credentials for the twentieth special session. 3/

- E. Letter dated 19 December 1989 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1940), containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite to be held on 6 February 1990 in Palau on the Compact of Free Association

7. At the 1673rd meeting, on 8 January 1990, the representative of the United States expressed his delegation's appreciation to the Trusteeship Council for agreeing unanimously to convene the special session. 4/ He considered that the request of the people of Palau for the Council to dispatch a visiting mission to the Trust Territory of the Pacific Islands to observe the plebiscite of 6 February on the Compact of Free Association was consistent with the remaining oversight responsibilities of the Council pursuant to resolution 2183 (LIII) of 28 May 1986. The conduct and outcome of that plebiscite would be important to the people and the Government of Palau, as well as to the Administering Authority. The United States was convinced that the plebiscite merited the Council's attention.

8. In that connection he cited a letter dated 15 December 1989 from the President of Palau to the United States Government, which read as follows:

"As you know, on 24 November 1989, I signed Executive Order No. 84, designating 6 February 1990 as the date for the seventh referendum and plebiscite in Palau on the Compact of Free Association between the United States and the Republic of Palau. The issues of this Order followed passage by the United States Congress of House Joint Resolution 175, the legislation to implement the Compact.

"Accordingly, I am hereby requesting that the United States Government formally request the United Nations to designate an observation team to travel to Palau to observe the referendum and plebiscite to be held in Palau on 6 February 1990."

9. The representative of the United States said that his Government endorsed that request. Experience and the reports of a succession of United Nations visiting missions attested to the strength of the democratic institutions in Palau and to the free and fair conduct of their votes.

10. A mission to observe the plebiscite of 6 February would enable the Trusteeship Council and the world to ascertain that the people of Palau were freely choosing their own future political status. His Government would welcome the continuation of the practice of seeking the participation of representatives of other nations in the Pacific region.

11. If, as his delegation hoped, the Trusteeship Council decided to dispatch an observer mission to Palau, the Administering Authority stood ready to extend its full cooperation.

12. The President of the Trusteeship Council drew the attention of the members of the Trusteeship Council to document T/L.1273, relating to the administrative and financial implications of draft resolution T/L.1272 on arrangements for the dispatch of a visiting mission to observe the plebiscite in Palau.

13. In introducing draft resolution T/L.1272 on behalf of his delegation and that of France, the representative of the United Kingdom considered that a decision to send a visiting mission would be a positive response by the Trusteeship Council to the request from the President of Palau. It would be in accordance with past practice and fully consistent with the Council's long-standing commitment to the right of self-determination of the people of Palau.

14. The draft resolution closely followed the wording of similar resolutions adopted at previous special sessions; it would provide for a mission of five members consisting of those members of the Trusteeship Council that in earlier consultations had indicated their willingness to participate in the mission, as well as representatives of two countries of the region.

15. The mission would be directed to observe the plebiscite, specifically the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results. Sufficient time had also been allowed for the mission to see the preparations for the plebiscite, including the final stages of the campaign and the political education process. On its return, the mission would report to the Trusteeship Council in the usual way.

16. In accordance with France's consistent position, the representative of France hoped that the population of Palau would be able to realize fully its aspirations by exercising its right to self-determination. Her delegation therefore favoured sending a mission to oversee the plebiscite to be held on 6 February 1990 and supported all the provisions of the draft resolution.

Decision

17. At its 1673rd meeting, on 8 January 1990, the Trusteeship Council decided, without objection, to waive rule 57 of its rules of procedure, which specifies that copies of draft resolutions should be circulated to the members 24 hours in advance of the meeting at which they are to be considered.

18. The representative of the Union of Soviet Socialist Republics, commenting on draft resolution T/L.1272, and in explanation of vote as well, stated that the twentieth special session of the Trusteeship Council had before it the request of the United States to consider sending a mission to observe the holding in Palau, on 6 February 1990, of a plebiscite regarding the so-called Compact of Free Association. Palau, part of a single strategic Trust Territory of the Pacific Islands (Micronesia), had been under the administration of the United States in accordance with the Trusteeship Agreement between the United States of America and the United Nations, as approved by the Security Council.

19. Dividing that Territory into small parts and imposing on each of them, by the actions of the Administering Authority, all kinds of dependency status through unjust agreements was at variance with the Trusteeship Agreement, the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

20. The proposal was to send a mission to Palau to observe the holding of yet another plebiscite, the sole purpose of which was to secure agreement for the Compact at all costs.

21. The position of the Soviet Union on the question of Micronesia was well known. The Soviet delegation had frequently drawn attention to the fact that the so-called covenants and compacts regarding various parts of that single Trust Territory had been elaborated behind the back of the United Nations, in circumvention of the Security Council, and had been imposed in violation of the Trusteeship Agreement. They therefore could not be regarded as valid.

22. In accordance with the provisions of the Charter on the Trusteeship Agreement, the United Nations bore responsibility for Micronesia. Only the Security Council could alter the status of that Trust Territory or end the Trusteeship Agreement.

23. For those reasons, the Soviet delegation could not agree with the proposal to send a mission to Palau and would therefore vote against the draft resolution on the matter.

Decision

24. At its 1673rd meeting, on 8 January 1990, the Trusteeship Council adopted draft resolution T/L.1272 as resolution 2192 (S-XX) by 4 votes to 1. 4/

25. In exercise of the right of reply, the representative of the United States said that much of the Soviet statement was not relevant to the issue before the Trusteeship Council. The freely expressed will of the people was, always had been and always would be the sole guide of the United States.

26. The object and purpose of the visiting mission was to observe that the people of Palau freely determine their own future. He regretted that the Soviet Union had chosen to distort the situation in so anachronistic a manner.

F. Petitions

Decision

27. At its 1673rd meeting, on 8 January 1990, the Trusteeship Council decided to take note that it had not received any petitions relating to the request for a special session of the Council to consider the dispatch of a mission to observe a plebiscite to be held on 6 February 1990 in Palau on the Compact of Free Association. 4/

G. Report of the Trusteeship Council to the Security Council covering the twentieth special session

Decision

28. At its 1673rd meeting, on 8 January 1990, the Trusteeship Council decided without objection to authorize the Secretariat, in consultation with the President and members of the Council, to prepare a report on the work of the twentieth special session and to include it in the Council's next annual report to the Security Council on the work of its fifty-seventh session. 4/

Notes

1/ T/1940.

2/ See T/PV.1680.

3/ T/1946.

4/ See T/PV.1673.

Annex

AGENDA OF THE TWENTIETH SPECIAL SESSION, ADOPTED BY THE TRUSTEESHIP
COUNCIL AT ITS 1673rd MEETING, ON 8 JANUARY 1990

1. Adoption of the agenda.
2. Election of the President and the Vice-President.
3. Report of the Secretary-General on credentials.
4. Letter dated 19 December 1989 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1940), containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite to be held on 6 February 1990 in Palau on the Compact of Free Association.
5. Examination of petitions related to item 4 of the agenda.

FIFTY-SEVENTH SESSION OF THE TRUSTEESHIP COUNCIL,
21 MAY TO 28 NOVEMBER 1990

PART I. ORGANIZATION AND ACTIVITIES OF THE TRUSTEESHIP COUNCIL

A. Introduction

1. On behalf of the Security Council, the Trusteeship Council discharges those functions of the United Nations under the International Trusteeship System that relate to the political, economic, social and educational advancement of the inhabitants of the Trust Territory of the Pacific Islands. In accordance with Article 86 of the Charter of the United Nations, the composition of the Trusteeship Council in 1990, at its fifty-seventh session, was as follows:

United States of America (member administering a Trust Territory)

China

France

Union of Soviet Socialist Republics

United Kingdom of Great Britain and Northern Ireland

2. At its opening (1674th) meeting, on 21 May 1990, the Trusteeship Council adopted, without objection, its provisional agenda contained in document T/1945 (see annex I to the present report). 1/

3. At the same meeting, the Trusteeship Council unanimously elected the following officers:

President: Mrs. Anne Gazeau-Secret (France)

Vice-President: Mr. Thomas L. Richardson (United Kingdom)

4. The Trusteeship Council held its 1674th to 1682nd meetings between 21 May and 28 November 1990, during which it heard statements by representatives of the Administering Authority and its special representatives and advisers, as well as by other members of the Council (see part I, sect. C, of the present report). It also heard statements by petitioners and considered written petitions and communications (see part I, sect. D).

5. At its 1681st meeting, on 1 June 1990, the Trusteeship Council adopted the report of its Drafting Committee containing the Council's conclusions and recommendations (see part I, sect. J, and part II).

6. At its 1682nd meeting, on 28 November 1990, the Trusteeship Council adopted the present report to the Security Council (see part I, sect. K).

B. Report of the Secretary-General on credentials

7. At its 1680th meeting, on 30 May 1990, the Trusteeship Council considered, under item 2 of its agenda, the report of the Secretary-General on credentials. 2/

Decision

8. At the same meeting, the Trusteeship Council decided, without objection, to take note of the report. 3/

C. Examination of the annual report of the Administering Authority for the year ended 30 September 1989

9. At its 1674th, 1676th, 1677th, 1679th and 1681st meetings, held between 21 May and 1 June 1990, the Trusteeship Council examined, under item 4 of its agenda, the annual report of the Administering Authority on the Trust Territory of the Pacific Islands for the year ended 30 September 1989. 4/

Opening statements by representatives of the Administering Authority

10. The representative of the United States stated that peoples around the world had recently given clear expression to their will through the ballot, a peaceful, democratic and stabilizing means of determining their political future and enhancing their economic and social development. In that same vein, therefore, his Government supported the Government and the people of Palau, who continued to persevere at the polls to determine their future. His Government fully recognized and respected the Palauan Constitution and the political processes required by that Constitution. The United States would continue to honour its obligations while the people of Palau sought to resolve their dilemma of reconciling the provision of their Constitution that required 75 per cent approval of the Compact of Free Association 5/ with the overwhelming majority view that consistently favoured adoption of the Compact.

11. The Compact negotiated between the United States and Palau provided for Palau to become a sovereign, self-governing nation by offering significant continuing benefits to Palau for 50 years, as well as certain security and defence obligations and rights for the United States.

12. The United States representative noted that in the light of the conclusion of the Compact, the Trusteeship Council had found in 1986, in resolution 2183 (LIII), that the United States had discharged its obligations satisfactorily under the Trusteeship Agreement, and it had requested the United States to agree on a date not later than 30 September 1986 for the full entry into force of the Compact and to inform the Secretary-General of the date.

13. His Government believed that the resolution was fully in keeping with the Trusteeship Council's goal of promoting the advancement of the inhabitants of a Territory towards self-government or independence in accordance with the freely expressed wishes of the people. Resolution 2183 (LIII) echoed General Assembly resolution 1541 (XV) in recognizing that legitimate acts of self-determination could result in free association, independence or integration.

14. As the February 1990 Visiting Mission of the Trusteeship Council had observed in its report, 6/ the Palauan electorate had gone to the polls, at the request of the Government of Palau, for a seventh time to attempt to determine whether the necessary 75 per cent of the voting public approved the Compact. More than 60 per cent had approved the Compact, a sizeable majority, but insufficient to satisfy the specific constitutional requirement.

15. Palau continued to conduct itself as a geographical, political, cultural, social and economic entity with a clear identity. The Administering Authority regarded that as active testimony to its continued fulfilment of its stewardship responsibilities under the Trusteeship Agreement. Furthermore, the United States continued, and would continue, to exercise its trusteeship obligations fully and responsibly until the people of Palau had resolved the issue of their status.

16. The United States was confident that Palau would overcome the current impasse. Resolving that issue would require the political will, courage and self-confidence of all Palauans to pull together to launch themselves into full political maturity and set sail in the direction of their choosing.

17. Ms. Stella Guerra, Assistant Secretary of the United States Department of the Interior and Special Adviser to the Administering Authority, in a review of events in the Trust Territory in 1989/90, stated that since the early 1980s, the United States had acted on the assumption that Palau would adopt the Compact of Free Association 5/ quickly and become fully sovereign. In keeping with that assumption and its obligation to promote self-government in the Trust Territory, the United States had delegated progressively more and more decision-making authority to the constitutional Government of Palau. In the light of recent events, the United States could no longer assume that Palau would adopt the Compact in the near future. The seventh plebiscite on the Compact, held on 6 February 1990, had failed to garner the 75 per cent required by the Constitution for approval. The people and Government of Palau were considering the next steps, but no decision had been reached on a specific strategy or timetable.

18. She assured the Trusteeship Council that the Administering Authority respected the will of the people of Palau and their elected representatives and would wait for them to decide their next course of action. Given the situation, the United States had decided to continue its responsibilities as Administering Authority in a more active and intensive fashion.

19. In July 1989, the United States General Accounting Office had issued a report entitled "Issues Associated with Palau's Transition to Self-Government", noting, among other things, that the policy of delegating increasing authority to the Government of Palau had deprived that Government of the benefits of some advice and guidance from the Administering Authority, particularly in the financial area. The Department of the Interior had decided to address some of the issues drawn to its attention. In particular, it would name a resident representative of the Department to provide more guidance to the Government of Palau, especially in fiscal and planning issues. The Department, which was responsible for the administration of the Trust Territory, was also strengthening the Trust Territory Government at Koror with greater support facilities in Honolulu.

20. The Assistant Secretary stated that over the past nine months, in a continuing effort under article 6 of the Trusteeship Agreement 7/ to foster and promote self-government, she had held five personal meetings with the President of Palau, as well as others with the leadership of Palau. In April 1990 several members of the Department of the Interior had gone to Palau to familiarize themselves with the situation there. Using their recommendations, certain additional decisions concerning the role of the Administering Authority in the administration of Palau would be made. The Assistant Secretary would keep the Trusteeship Council informed of developments as they occurred.

21. She recalled that the Administering Authority in 1989/90, in cooperation with the Government of Palau, had mounted a very serious campaign against the spread of controlled substances. In July 1989, a major sweep of dealers, importers and vendors had led to the arrest of 43 people, all of whom had admitted their guilt. Of those 43, some 13 were citizens of the Trust Territory.

22. There was very little in the way of natural disasters or crises to report during the period under review. There had been little or no politically oriented violence in Palau, no controversial court cases, nor any natural disasters that had resulted in hardship or problems for Palau.

23. In the economic area, as noted in the annual report, 4/ tourism had increased substantially. The United States associated itself fully with the observations contained in paragraphs 36, 69 and 70 of the report of the Trusteeship Council to the Security Council for 1989 8/ concerning the potential for economic development and the need to prevent non-existent or imaginary standards for self-sufficiency from impeding the attainment of self-government.

24. Payment of Title I war claims was nearly completed. In some cases, probate of estate was holding up final payment, and in others disagreement over amounts or signing releases was slowing payments.

25. The Assistant Secretary announced that the Administering Authority had made funds available for a new programme of operations and maintenance of capital improvement projects in the Territory which was currently under way. The purpose of that programme was to review projects carried out under the Trust Territory's capital improvement programme over the past 10 years and to make appropriate repairs and adjustments where deficiencies in construction or design had been identified, and to train local people in the correct operation and maintenance of those projects. The operations and maintenance project would be supervised by a special committee of government officials according to priorities fixed by the local authorities and was expected to take several years to complete. Included in the programme would be repairs to the Koror-Babelthuap Bridge, airport work, construction of hospital facilities and public utilities in Palau. A total of \$7,821,000 had been made available for fiscal year 1990/91 to begin those projects and an additional \$5,719,000 had been set aside for the new \$24 million Palau hospital.

26. The Special Adviser concluded her remarks, stating that at the Trusteeship Council's fifty-sixth session there had been several references to the 902 consultations between the United States and the Commonwealth of the Northern Marianas. In that context, the Special Adviser assured the Council that the United States concurred wholeheartedly with conclusion No. 4 in the Council's 1989 report, which states that "the Council considers that any difficulties over the interpretation of the new status agreements should be resolved bilaterally by the parties concerned in accordance with the procedures mutually agreed and laid down in the relevant new status agreements". 9/

27. Mr. Victorio Uherbelau, Special Representative Adviser to the Administering Authority, 1/ conveyed the thanks of the Government of Palau to the Trusteeship Council for dispatching the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990. Although Palau would have liked a more favourable result in the referendum, it took comfort in the Mission's conclusion that "the referendum was conducted freely,

fairly and in accordance with the rules, and that the results reflect the freely expressed wishes of the people of Palau". 10/

28. The Special Representative Adviser recalled that the new leadership of Palau, united in supporting the seventh Compact plebiscite and Republic of Palau Public Law No. 3-1, had established a Commission on Future Palau/United States Relations. That Commission had subsequently negotiated and signed the Guam Accord on 26 May 1989 with the United States. Despite that development, the voters had once again failed to approve the Compact by the constitutionally mandated 75 per cent.

29. He informed the Trusteeship Council that Palau had no definite national plan to resolve Palau's future political status. Certain Palauan leaders had endorsed the holding of a constitutional amendment referendum to lower the Compact approval requirement to a simple majority vote. Others had petitioned the President of Palau for a moratorium on future plebiscites on the Compact in order to let the matter rest before deciding which direction to take next. The leadership was reviewing possible options to recommend to Palauans.

30. The Special Representative Adviser recalled that in 1989 Palau had enumerated certain obligations unfulfilled by the Administering Authority which it considered would have rendered Palau more self-sufficient economically. Some of those remained outstanding.

31. He considered that over the years much of the criticism of the United States administration of Palau was justified. The Compact could be viewed as an attempt to compensate for the failings of the United States trusteeship, whose obligations would continue until a new political status was implemented. He hoped that viable and sustainable economic development could be worked out with the United States to free Palau from the strangulation of economic dependence and the welfare state that had been created. Only then could Palau have a real, free act of self-determination on its future status.

32. Palau's economy still survived largely on an annual cash infusion from the United States although there was some reason to be optimistic about economic development. However, lack of infrastructure, particularly on Palau's largest island, Babelthup, had prevented its full economic potential from being realized. Palau would need substantial assistance to put the necessary infrastructure in place, which it anticipated would flow from the United States trusteeship and any subsequent relationship into which it entered. It hoped that the United States would honour and fulfil its trusteeship responsibilities, whether or not the Compact was implemented.

33. The Special Representative Adviser was glad to report that the construction of the modern hospital and health facility was progressing on schedule. The Administering Authority had provided \$16 million towards the first and second phases of the project. For completion of the hospital, however, an additional \$8.8 million was required, which Palau had requested from the Administering Authority.

34. Palau was gratified to learn that the United States Department of the Interior had included \$1.5 million in its appropriation budget request for special programmes in Palau, a sum specified in United States legislation that had authorized the implementation of the Palau Compact pending its approval by Palau. Despite the fact that the Compact had not been implemented, the Administering

Authority recognized Palau's special needs and had requested the United States Congress to fund a new jail, drug enforcement assistance and rehabilitation programmes and assistance for a Special Prosecutor's Office and for a Public Auditor's Office.

35. In May 1990, the Palau leadership had requested \$89.2 million from the United States Congress for basic capital infrastructure projects such as Babelthup road development, electric power distribution and transmission, expansion and improvement of the Koror sewage treatment plant, electric power and water improvements for outlying islands and an efficient telecommunications system. He considered that those basic capital improvements, needed for Palau's economic development and self-sufficiency, should not be contingent on Palau's approval of the Compact.

36. With additional funding from departure and hotel room taxes, the Palau Visitors' Authority had launched programmes to promote and develop the tourism industry. Currently Palau had 10 hotels with a total of 355 available rooms. The tourism industry could not attain its highest potential, however, without much-needed infrastructure. According to 1989 statistics, 19,383 tourists visited Palau, compared with 16,450 in 1988. Because of its geographical proximity, 60 per cent of the visitors were from Japan.

37. The Special Representative Adviser noted that there had been improvements in Palau's fisheries industry, particularly in the exploitation of fisheries resources within its 200-mile exclusive economic zone. After ratifying the Multilateral Fisheries Treaty between the United States and 16 Pacific island countries in November 1987, Palau had benefited from its proportionate share of the Treaty funds, both in cash and in technical assistance, which amounted to more than \$200,000 annually. Under its fisheries access agreement with four Japanese fisheries associations, Palau was paid a licensing fee of approximately \$500,000 for up to 290 Japanese fishing vessels. With the recent completion of a cold-storage facility and a block-ice-making plant by the Palau Marine Industrial Corporation (PMIC), Palau had two locally based fisheries operations employing longline and pole and line boats.

38. Furthermore, Palau had actively participated in and benefited from regional programmes and activities of the South Pacific Forum Fisheries Agency. In November 1989, Palau had signed the Convention on the Prohibition of Drift-net Fishing in the South Pacific, which was awaiting Palauan legislative approval.

39. Voicing another concern of Palauans, the Special Representative Adviser stated that the United States planned to dispose of an estimated 500 tons of chemical weapons, including deadly nerve gases, on Johnston Island in the central Pacific. Palau firmly supported the formal protest of the Government of the Federated States of Micronesia against that weapons-disposal plan, as well as the objections of other Pacific island nations.

Statements by members

40. The representative of China stated that in 1989, in keeping with the provisions of the Charter of the United Nations, the Chinese delegation had participated in the work of the Trusteeship Council for the first time, wishing to contribute to the undertakings of the International Trusteeship System and to promote the advancement of the Trust Territory. 11/ For the same reason, it was participating in the work of the fifty-seventh session of the Council.

41. In compliance with the relevant resolutions, the Trusteeship Council had sent to Palau in February 1990 a visiting mission to observe a plebiscite on the Compact of Free Association. The Chinese delegation's first involvement in any such visiting mission had deeply impressed it and had broadened its knowledge of the Territory. During the visit it had met with Palauans, whose views and opinions on some issues were reflected in the Visiting Mission's report. 6/ It had also taken note of the plebiscite results.

42. The representative of China considered that the report submitted by the Administering Authority 4/ and statements by Trusteeship Council members, the Administering Authority and the representative of Palau, as well as petitioners, had helped the Council to gain a deeper understanding of the facts and the current conditions in the Trust Territory, thus promoting correct and comprehensive implementation of the relevant provisions of the Charter by the Council.

43. The Chinese representative noted that the principal task of the International Trusteeship System was to further international peace and security and to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories and their progressive development towards self-government and independence. China was very pleased to see that over the years the people in the Trust Territory of the Pacific Islands had made fairly obvious progress in the political, economic, social and other fields. On the other hand, from statements by the relevant representatives and petitioners, some problems and inadequacies still deserved close attention. He hoped that the Administering Authority would give serious consideration to the views of the people in the Trust Territory, meet their demands and fulfil to the letter its obligations towards the Trust Territory, thus creating the necessary conditions for self-determination at an early date.

44. He noted that under the Charter, the people in the Trust Territories were entitled to choose freely their political future by exercising their right to self-determination. China supported the principle of national self-determination and respected the choice made by the people in the Trust Territories, of their own free will, concerning their future political status.

45. The representative of the United Kingdom stated that his Government had consistently supported the efforts of the people of the Trust Territory of the Pacific Islands to achieve whatever form of self-government met their wishes and their particular circumstances. 11/ Over the past 20 years, the Micronesians had drawn up their own constitutions, had negotiated their respective new status agreements and had participated in referendums to endorse those agreements. For those reasons, his delegation had joined other members of the Trusteeship Council in 1986 in adopting resolution 2183 (LIII), by which the Council recognized that the peoples of Micronesia had freely exercised their right to self-determination and had chosen either free association with the United States or commonwealth status.

46. The United Kingdom representative disagreed with the argument that the peoples of Micronesia had not been allowed to make a free political choice and that, for its own strategic reasons, the Administering Authority had divided the Trust Territory into four entities in order to increase their dependency on the United States. While the United States had tried for a number of years to create a single state of Micronesia, it had become clear, in the course of future-status negotiations and the popular referendums that followed, that a single State was not wanted by the inhabitants of the Trust Territory, whose constituent parts were

divided by thousands of miles of ocean. The creation of four separate entities testified to the Administering Authority's commitment to democracy and to the right of the inhabitants of the Trust Territory to self-determination. His delegation had always welcomed and supported that commitment.

47. The United Kingdom representative stated that the main subject of the Trusteeship Council's discussions in 1990 was, of course, Palau. As in the past, a great deal of useful information had been provided on the Territory. His delegation had listened with interest to the statements of the representatives of the Administering Authority 1/ and Palau. It had studied carefully the latest report of the Administering Authority and was grateful to the petitioners for the additional contributions they had brought to the Council's work. His delegation considered the overall picture encouraging. In general terms, it was satisfied to note that the people of Palau continued effectively to govern themselves in accordance with their Constitution and had continued to advance in the economic, social and educational fields.

48. His delegation was encouraged by the rapid increase in tourism in Palau, which was helping to boost the private economic sector and to decrease the dependency of Palauans on government employment. If developed wisely, it would provide Palau with a lasting source of income. The United Kingdom hoped that as the Government of Palau encouraged the growth of that important industry, it would ensure that Palau's natural beauty, the very thing tourists came to discover, would not suffer as a consequence.

49. The United Kingdom was also encouraged by the progress reported in the field of fisheries. From experience, it knew that revenue from licensing arrangements and fishery-related enterprises could provide valuable income and employment. It welcomed the training and assistance provided to Palau by the Administering Authority in fisheries enforcement, an example of the contribution of the Administering Authority to Palau's continuing advancement. Additional funds had been provided under the capital improvement programme to construct a new hospital. It particularly welcomed also the Administering Authority's decision, in response to concerns expressed by the Government and people of Palau, to carry out a long-term project to improve the operation and maintenance of various public-works facilities and to rectify certain deficiencies in facilities provided under the capital improvement programme.

50. The representative of the United Kingdom stated that it was difficult to strike a balance between Palau's desire for economic self-reliance and the excessive dependence of its economy on annual infusions of funds from the Administering Authority, mostly for vital improvements in the Territory's infrastructure. Capital projects were not cost-free and the running and maintenance costs of new roads or hospitals could be heavy. Palau's own tax base was inadequate to finance those continuing costs, despite the improvement in tax collections reported in 1988/89. If a self-sustaining economy were to be achieved, two approaches would be necessary: a hard look at new spending projects, to ensure that they could be serviced after completion; and growth in the local economy and therefore its tax base. In that connection, therefore, the development of activities such as tourism and fishing assumed additional significance, as did expansion of the private sector of the economy more generally.

51. The United Kingdom was encouraged also by developments in the social field. The recent campaign mounted by the Administering Authority in cooperation with the

Government of Palau against drug trafficking had been a notable success. His delegation was glad to note the continuation of other federal programmes, for example, in the areas of health and education, which were helping to improve standards of living throughout Palau.

52. On the question of Palau's future political status, the United Kingdom Government had been privileged to participate in the United Nations Visiting Mission to Observe the Plebiscite in Palau, February 1990. The fact that the Compact of Free Association again had not been approved was a question for the Palauans themselves. The plebiscite was conducted in a free, fair and democratic manner and its result therefore represented the freely expressed wish of the Palauan people. Whatever their views on the precise terms of the Compact and its subsidiary agreements, the majority of Palauans clearly favoured the continuation of a close relationship, such as free association, with the United States, which had given them generous assistance and guidance for over 40 years.

53. The United Kingdom hoped that the current difficulties over Palau's future political status would soon be resolved. Palau was ready for self-government, as the Palauans themselves had amply demonstrated. The Trusteeship Agreement had never been designed to last forever. It was certainly not in the best interests of the people of the Trust Territory that it should. The United Kingdom noted that the Palauan leadership and people were reviewing their options and it wished them all success and promised them its support in their efforts to determine, at the earliest possible date, a future political status that accorded with their wishes.

54. The United Kingdom had listened with attention to the petitions delivered by the representatives of the Northern Mariana Islands during the current session. Clearly certain differences remained over the interpretation of the new status agreement between the United States and the Commonwealth of the Northern Marianas. The United Kingdom continued to believe that such difficulties should be addressed in the context of the procedures mutually agreed under the Commonwealth Covenant. 12/

55. The representative of France stated that in 1986, at its fifty-third session, the Trusteeship Council had adopted resolution 2183 (LIII), whose recommendations were intended to enable the four entities of the Trust Territory of the Pacific Islands to accede fully to the status of their respective choice. 11/ On many occasions since then, the French delegation had advocated swift implementation of that resolution. Accordingly, it welcomed the agreement reached on 26 May 1989 in Guam by the Commission on Future Palau-United States Relations, opening the way for a seventh plebiscite for Palauans on the Compact of Free Association with the United States.

56. At its twentieth special session on 8 January 1990, the Trusteeship Council had decided to send a visiting mission to Palau to observe the plebiscite in February 1990. 13/ France was pleased that, for the first time, a representative of the People's Republic of China had participated. In its report, the Visiting Mission had concluded that the plebiscite had been held under free and proper conditions. 6/ However, while 60 per cent of the population favoured the Compact of Free Association, the vote had once again fallen short of the required constitutional majority of 75 per cent. His delegation hoped that appropriate solutions could be formulated in the near future to facilitate the entry into force of the status chosen by the people of Palau, which would further the emancipation of the Trust Territory of the Pacific Islands.

57. Pending attainment of that objective, and as long as the Trusteeship Agreement remained in force, the Administering Authority must continue to carry out its obligations under that Agreement. The French delegation noted with satisfaction the assurances given by the United States on that point at past sessions of the Trusteeship Council and at the current one.

58. His delegation also welcomed the recent advances in the Trust Territory in the political, economic and social spheres and in the areas of education and tourism. It had studied carefully the information on Palau in the most recent annual report of the Administering Authority. It particularly welcomed the Administering Authority's initiatives, in conformity with recommendations of the Trusteeship Council, to provide assistance in protecting Palau's marine resources.

59. France had also listened with great interest to the Special Representative Adviser to the Administering Authority, who had described efforts in the area of public facilities, particularly hospitals. His delegation was aware, however, of the difficulties that continued to exist and of the concerns felt by the people of Palau about the still uncertain prospects for the future. Those difficulties and concerns had been mentioned by sources such as the petitioners who had addressed the Trusteeship Council. Even if some seemed excessively pessimistic, the fact remained that major advances in the democratic nature of local institutions and the people's standard of living had not yet totally remedied certain shortcomings, particularly a serious dependence on external sources, a legitimate concern for the citizens of Palau. Nevertheless, his delegation reiterated its appreciation for the cooperation between Palau's leaders and the Administering Authority with a view to solving the remaining problems.

60. The French delegation had taken due note of the statements by petitioners from the Northern Mariana Islands. It welcomed the commencement of consultations under section 902 of the bilateral agreement between the United States and the Northern Mariana Islands. 12/ It hoped those negotiations would be successful.

61. The well-known position of the French delegation was that it wanted the inhabitants of the sole remaining Trust Territory to be able to exercise fully their right to self-determination as soon as possible. Accordingly, France reaffirmed its hope that the obstacles preventing those inhabitants from acceding to the status of their choice would soon be overcome, with full respect for the provisions of the Charter of the United Nations.

62. The representative of the Union of Soviet Socialist Republics 11/ stated that his delegation had studied carefully the report of the United States on its administration of the Trust Territory of the Pacific Islands for the period 1 October 1988 to 30 September 1989, 4/ the working paper prepared by the Secretariat 14/ and the written petitions and communications sent to the Trusteeship Council at the current session. It had also listened carefully to the introductory statement made by the delegation of the United States and to statements by petitioners. From that diversified although not exhaustive information, the Soviet delegation had drawn two related conclusions on the Trust Territory.

63. The Soviet representative noted that during the period under review, the Administering Authority had taken certain steps to promote the development of the Trust Territory. At the same time, proceeding from the basic task of the International Trusteeship System defined in the Charter, there were still serious

problems in the economic, social and political fields in the development of the Trust Territory of the Pacific Islands that required very careful consideration and specific action by the Administering Authority and the Trusteeship Council. The task before the Council was to find proper solutions to those problems in the higher interests of the people of Micronesia. The Administering Authority's international obligations in that connection were enshrined in the Charter, in the Trusteeship Agreement 7/ and in a number of other basic documents of the United Nations.

64. Although the report of the Administering Authority dealt with all parts of the Trust Territory of the Pacific Islands, specific information on the situation in the Territory, the problems that arose and the action that had been taken by the Administering Authority was limited to Palau, one part of the Territory. The Soviet delegation hoped that that omission would be remedied in the next report. In a sense, problems facing Palau could be regarded as characteristic of the Trust Territory as a whole. That could be seen, inter alia, from statements made at preceding sessions by representatives of the Northern Mariana Islands, who had expressed serious concern over the situation that had evolved there.

65. In the Soviet delegation's view, the obligation of the Administering Authority to provide the United Nations with information about the entire Trust Territory remained in force until the Security Council, which had responsibility under the Charter for the Trust Territory, took a decision to terminate the Trusteeship Agreement. That was fully consistent with the vital interests of the people of Micronesia, who must enjoy the support of the Trusteeship Council in order to promote their own political, economic and social development and the attainment of their inalienable right to self-determination. In exercising its functions, the Council must carefully monitor and safeguard the rights and interests of the people in the Territory under United Nations trusteeship. The Soviet delegation was convinced that a responsible and carefully weighed approach, free from prejudice and ideological bias, could and must respect the priorities of universal human values, recognition of the primacy of the principles and norms of international law and efforts to bring about dialogue, cooperation and a joint search for mutually acceptable solutions.

Closing statements by representatives of the Administering Authority

66. At the 1681st meeting, on 1 June 1990, Mr. Victor Uherbelau, Special Representative Adviser to the Administering Authority, stated that Palau's long-standing, real concern was about inadequacies of infrastructure vital to its present and future economic well-being and self-sufficiency. 15/ Without access roads on the big island of Babelthuap, land transportation to the outlying villages and hamlets continued to be a dream unrealized. People commuted daily to Koror, the commercial centre, by outboard motor boats, a prohibitively expensive and, in low tides, an extremely hazardous undertaking.

67. While the International Power Systems Engineering Company (IPSECO) power plant was producing adequate power to service the entire population of Koror, it had experienced intermittent electric-power brown-outs owing to defective and old transmission lines. The public water system ran less than 24 hours a day, owing to leakage in the underground mains.

68. Palau was encouraged, however, by statements from the Administering Authority that it was taking positive steps to remedy problems in the capital improvement

projects. He hoped Palau would be able to present a more favourable report in 1991 on that aspect of the Administering Authority's trusteeship obligation.

69. Turning to the existing relationship between Palau and the United States and the plan to enhance the physical presence of Department of the Interior personnel in Palau, the Special Representative Adviser stated that Palau trusted that that was in partial compliance with certain recommendations of the General Accounting Office. It welcomed United States expertise, especially in budgetary matters and financial management. However, the advisers and experts should not take over vital government functions that had previously been carried out by Palauans. To do otherwise would be a disservice to Palauans and would detract from the measure of self-rule achieved over the past 10 years of operating under their own constitutional Government.

70. The Palauan Government also welcomed the planned establishment of the Pacific Office at Honolulu to provide support services and hoped that it would serve as a catalyst to coordinate United States federal programmes and as a midway clearing-house for Palau's numerous requests for technical and other assistance that needed prompt attention.

71. The Special Representative Adviser stated that Palau was extremely grateful to the Administering Authority, which had encouraged Palau to assume certain governmental functions in foreign affairs and international relations. Palau, a full member of the Forum Fisheries Agency, was also a signatory to the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and its two protocols. Palau had bilateral arrangements with Australia and New Zealand under which high schoolteachers, nurses, medical and health technicians were sent to courses in those countries. Under bilateral grant-aid agreements, Japan donated construction materials and technical expertise for fisheries dock projects in 4 of Palau's 16 states. Representatives from the Consulate General of France at Honolulu and the Embassy of the Federal Republic of Germany at Manila had visited Palau. Officials from other foreign countries and regional and international organizations, including the World Health Organization, the United Nations Development Programme, the Economic and Social Commission for Asia and the Pacific and the South Pacific Commission, had visited Palau to assess its needs and had offered assistance as appropriate.

72. On the issue of political status, the Special Representative Adviser cautioned that the Palauan voters had not rejected the Compact of Free Association 5/ as a political status option. Free association with the United States clearly had predominated over independence or closer relations in two of the seven plebiscites when those options were on the ballot. Even the 60.8 per cent result of the latest plebiscite was an overwhelming majority vote where a simple majority was the yardstick for a favourable outcome.

73. As the representative of the United Kingdom had stated (see para. 52), whatever their views on the precise terms of the Compact and its subsidiary agreements, the majority of Palauans clearly favoured the continuation of a close relationship such as free association with the United States. It was therefore incumbent on the leadership of Palau to find a way to lead its people to an internally self-governing nation freely associated with its former trustee and generous mentor, the United States.

74. Ms. Stella Guerra, Special Adviser to the Administering Authority, reassured the Trusteeship Council that the Administering Authority was committed to taking its responsibilities very seriously. 15/ She summarized some development programmes and projects for 1990 and 1991 which, she believed, would address some of the petitioners' concerns and some of the issues brought up during the current session.

75. In addition to the \$15.1 million for regular operations in 1990 and 1991, which would include funding for the College of Micronesia and satellite communications, the Administering Authority had the following programmes either in place or under preparation: a road-system repair project amounting to \$476,000 under the capital improvement programme; \$980,000 for repairs to the Koror-Babelthuap Bridge; and \$35,000 for Koror-Airai Electrical Transmission. In addition to money provided for the new hospital and renovations to the Palau jail, and as a follow-up to the Guam Accords, \$247,000 had been made available for a special prosecutor and a public auditor. An additional \$300,000 had been requested for those programmes in 1991. In continued recognition of its responsibilities to curtail the traffic in controlled substances, the Administering Authority had requested \$400,000 for drug interdiction assistance and prevention of drug abuse in its 1991 budget.

76. As part of the operations and maintenance programme, \$100,000 had been set aside to evaluate the needs of Palau and to develop an action plan. That team had just completed its on-site evaluations; \$200,000 had been requested to begin implementation of the action plan and \$430,000 had been requested for 1991 maintenance of that project.

77. For several years, the United States Department of the Interior had funded a wide variety of smaller projects intended to have a beneficial, long-term effect in Palau. Examples of those projects were a \$200,000 grant to the Sisters of Mercy to administer the Palau hospital; a \$220,000 grant to evaluate the possible privatization of the Palau power plant; a \$150,000 grant to the Army Corps of Engineers to provide technical advisory services to Palau; and \$127,000 for computer systems for the Palau hospital and the pension system. Smaller projects included grants for hiring tax and revenue advisers, and for law-enforcement training and participation by Palauan students in the "close-up" educational programme. In 1990, an estimated additional \$800,000 in similar projects would be funded.

78. With respect to the political situation in Palau, the Special Adviser reiterated that the political future of Palau was up to its people, who would decide when, on what and under what conditions that vote would be taken. That was their right and their responsibility. The United States endorsed remarks to the effect that the people of Palau were highly developed politically. It fully agreed with Trusteeship Council resolution 2183 (LIII) that all parts of the Trust Territory were ready for complete self-government. In the meantime, it was prepared to carry out its administering responsibilities. Heeding the recommendations of the Trusteeship Council and various other agencies, including the United States Congress, which had urged it to play a more active role in guiding and shaping the administration of Palau during the interim period prior to termination of the Trusteeship Agreement, the Department of the Interior would send a resident representative to Palau to provide advice and direction to the local government, especially concerning the budgetary process. Coupled with the above-mentioned technical assistance projects, that approach should provide the

Palauan authorities with a better idea of how to manage their resources and their budget.

79. The United States also encouraged Palau's contact with regional and international organizations. Through the United States State Department, it would facilitate government-to-government relations as appropriate.

80. The Special Adviser hoped that her Government would have the opportunity to invite the Trusteeship Council to witness a final act of self-determination in the very near future. In the meantime, it would await the decision of the people of Palau.

81. The representative of the United States noted that the Special Representative Adviser from Palau had spoken of the need for Palau to become economically self-sufficient, to build and diversify its economy through continued development of its infrastructure, increased foreign investment and international treaties and agreements. ^{15/} The United States was in complete accord with the stated goals of the Government of Palau and supported all efforts undertaken by the people of Palau to move towards self-sufficiency. While clearly all obstacles to economic self-sufficiency could not be tackled simultaneously, it believed that the setting of priorities and the construction of a longer-term strategy necessary for economic development were off to a good start.

82. Regarding Palau's plebiscite of 6 February 1990 on the Compact of Free Association, he considered it important to remember that, for the seventh time, the Compact had been supported by a majority of the voters, although not by the 75 per cent required for ratification under the Palau Constitution. His delegation had noted also from the opening statement of the Special Representative Adviser of Palau that views differed among Palauans concerning ways to proceed. It wished the people of Palau every success as they considered their options for the future.

83. The United States representative said that despite the frustration felt by many that the plebiscites had not resolved the status of Palau, the fair and open plebiscite verified by the Trusteeship Council's Visiting Mission, and the lively discussion concerning Palau's future, had contributed to Palau's exercise of democracy, freedom of expression and freedom of choice. Until such time as the people of Palau ratified the Compact in accordance with their own constitutional provisions, or resolved their future status in some other fashion, the United States would continue to fulfil its role as trustee. That rewarding role allowed the United States to engage directly in economic development, to learn from the people of Palau how best to cooperate with them in building a better community and to help foster democratic processes in another part of the globe.

84. The United States attached the utmost importance to its role of assisting in the evolution of the Trust Territory to independent or freely associated status, a process formally recognized by the Trusteeship Council in 1986. It was an obligation that the United States Government had undertaken from the United Nations in the belief that all peoples shared the right of self-determination.

D. Petitions

Oral hearings

85. At its 1675th, 1676th and 1680th meetings, on 21, 22 and 30 May 1990, the Trusteeship Council heard 10 petitioners under item 5 of its agenda. 16/

Written communications and petitions

86. At its 1677th and 1680th meetings, on 23 and 30 May 1990, the Trusteeship Council considered 4 communications and 63 petitions. 17/ The list of the communications and petitions, together with an indication of their contents, is contained in documents T/INF/38 and Add.1.

87. During the Trusteeship Council's consideration of the item, the representative of France, referring to communication No. 3 from the Palau National Congress summarized in document T/INF/38, asked the Administering Authority whether any action had been taken or was under consideration in response to the request contained therein for technical and financial assistance for entities responsible for the implementation of Palau laws, particularly in the criminal area. 18/

88. The representative of the United States, addressing the issues raised by the written and oral petitions and communications during the session, stated that petitioners had generally focused on four major themes: the issue of the Administering Authority's role regarding the Compact of Free Association and the Palauan Constitution; the alleged militarization of Palau; the economic viability of the Republic of Palau after termination; and the responsibilities of the Administering Authority regarding the day-to-day conduct of business in Palau. 3/

89. Concerning the role of the United States with respect to plebiscites on the Compact of Free Association, the record was clear that in all seven plebiscites, the Government of Palau and the Palau National Congress had decided the dates of the plebiscites, the wording of the ballot and the conditions for the conduct of the plebiscites. At no time had the Administering Authority forced, coerced or otherwise influenced those decisions on the part of the Government of Palau. The decisions were the Palauan Government's alone to make.

90. Assertions that the Administering Authority was attempting to force an unpalatable Compact on Palau contrary to its Constitution were false and misleading. As the Trusteeship Council knew, the Compact of Free Association between the United States and Palau was a negotiated document reached through compromise and negotiation between the parties, which fully respected each other's views and desires. In addition, several years ago the Compact had been amended by mutual agreement to make it compatible with the Constitution of Palau, and the courts of Palau had continued to interpret the Constitution as requiring 75 per cent ratification of the Compact.

91. The Administering Authority wished to terminate the trusteeship for Palau as soon as possible, in full concurrence with Trusteeship Council resolution 2183 (LIII) and, it believed, with the wishes of the people of Palau. It had made it abundantly clear that the decision was up to the people of Palau. Under the Trusteeship Agreement 7/ currently in force, the Administering Authority had long had military rights in the Territory and had never acted on those rights. There was not currently any militarization of Palau, nor were there plans to establish military bases or facilities there.

92. The only military presence in Palau, verified by several visiting missions from the Trusteeship Council, was a 13-man United States Navy Civic Action Team or construction support personnel. Their only purpose was to assist the local people in the construction of small-scale public-service projects, to train local people in construction techniques and to provide emergency medical aid through the medical technician assigned to the Team. The teams rotated every eight months or so and had been one of the most popular projects in the Territory. In sum, there was no foundation to the argument that the Administering Authority was contemplating militarization of Palau.

93. Noting another common petitioner theme that Palau was not sufficiently developed economically to stand on its own upon termination of the trusteeship, the United States representative stated that in general the Administering Authority fully shared the concern about Palau's economic development. He reiterated that there was no universally accepted criterion of self-sufficiency before trusteeship termination could take place. Palau was well past the level of development at which others had made the change in question.

94. The United States representative stated that by measurement of per capita gross domestic product or per capita income, Palau was well ahead of most other Pacific island nations and many countries around the world. There were paved roads in the major populated areas; a new hospital was under construction; there was electric power; also hotels and tourist facilities. A list of improvements in Palau would compare more than favourably to any similar entity. A new operations and maintenance project in Palau worth millions of dollars would bring many earlier capital improvement projects up to their original specifications. Within that framework, the United States would continue to work with the Palauan Government to establish priorities and to plan resource allocation.

95. Referring to a point raised by the representative of China during the Trusteeship Council's session, he noted that all aspects of infrastructure development were being addressed, including maintenance and/or expansion of the 50 miles of paved roads already built in Palau.

96. There was no prescribed standard of self-sufficiency to which the Administering Authority could be held before a Trust Territory could be granted a full measure of self-government. For some, only a replication of Hawaii's high standards of living would be enough, while for others, impatience for self-government eclipsed any desire for further economic development prior to full self-government. The Administering Authority believed that for Palau, the reality lay somewhere in between. Moreover, with the adoption of the Compact, a myriad of development projects were guaranteed during the life of the Compact. If Palauans chose a different political status, the Administering Authority would seek other appropriate arrangements to provide development assistance.

97. The Administering Authority fully agreed with the United Nations principle that the level of economic development should not be a consideration in the granting of self-government to a Trust Territory and it believed that Palau was more than ready to move ahead.

98. Concerning the issue raised by several petitioners about the continuing responsibility of the Administering Authority pending adoption of some future political status by Palau, he assured the Trusteeship Council that the United States as Administering Authority would continue to live up to the letter and

spirit of all its obligations in that regard. The Administering Authority would continue particularly to implement all appropriate provisions under bilateral Palau-United States agreements.

99. Referring to the conclusions of the United States congressional General Accounting Office concerning inadequate oversight by the United States Government over public administration in Palau, the Administering Authority had taken many of its recommendations to heart. In the near future, it would assign a high-level official to the Trust Territory to monitor budgetary and other activities that had proved susceptible to problems that could have been avoided with proper guidance and advice. It expected to work closely with the Government of Palau on doing so in the future.

100. The United States representative expressed appreciation to the many persons who had submitted oral and written petitions for their interest in and concern about the future of Palau. He noted that many of the written petitions had been overtaken by recent developments and that many were based on outdated information. He invited the petitioners to write directly to the Office of the Assistant Secretary of the Department of the Interior for up-to-date and accurate information concerning the administration of the Trust Territory. The United States had responded directly to questions addressed to it and would continue to do so.

101. With respect to those presentations not related to Palau, he reiterated that the United States stood fully behind conclusion No. 4 in the Trusteeship Council's report to the Security Council in 1989, 9/ which established that bilateral mechanisms should be employed to resolve real or perceived differences.

Decisions

102. At its 1677th meeting, on 23 May 1990, the Trusteeship Council decided, without objection, to take note of written communications Nos. 1 to 4 summarized in document T/INF/38. 18/

103. At the same meeting, the Trusteeship Council also decided, without objection, with regard to petitions Nos. 1 to 63 summarized in document T/INF/38, to draw the attention of petitioners to the observations made during the current session by the representatives of the Administering Authority and by other members of the Council, as appropriate.

E. Report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990

104. At its 1674th, 1677th, 1678th, 1680th and 1681st meetings, held between 21 May and 1 June 1990, 19/ the Trusteeship Council considered, under item 6 of its agenda, the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990. 6/

105. In introducing the report, the representative of the United Kingdom, who had served as Vice-Chairman of the Mission, recalled that following an invitation from the Government of Palau to the Trusteeship Council to send such a mission, the Council, on 8 January 1990, had adopted resolution 2192 (S-XX), in which it had authorized the dispatch of a mission to Palau to observe the plebiscite of

6 February 1990, specifically the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results. 1/

106. The Mission, composed of five members from China, Fiji, France, Papua New Guinea and the United Kingdom, had visited Palau from 31 January to 10 February 1990. Details of the Mission's itinerary and activities in Palau were contained in its report. Summarizing the report's main points, the Vice-Chairman stated that the Mission had been in Palau several days prior to the referendum, during which time it had carried out an extensive programme of visits and public and private meetings throughout the Palauan islands. In preparing its report, the Mission had taken into account the wide range of views it had heard on the conduct of the political education programme and political campaign. It had also observed the final stages of the campaign.

107. The Mission had concluded that there was no evidence that the political education programme had been conducted in other than a fair and unbiased manner, in accordance with the relevant Palauan law. It had also concluded that the political campaign was extremely low-key, peaceful and restrained. Both opponents and proponents of the Compact of Free Association had access to the media and to public platforms. There was no evidence of political tension or attempts at coercion or intimidation. The people of Palau clearly had understood the issues on which they were asked to decide and had been able to express their views freely at the ballot-box.

108. On polling day, the Mission had divided into five teams to observe the voting process at as many polling stations as possible. In the Mission's view, the poll had been conducted in full accordance with the rules and regulations of the plebiscite. The Mission had seen no evidence of malpractice or improper attempts to influence voters, who had been able to cast their votes in secrecy. Members of the Mission had also been present throughout the counting and tabulation of votes, which had been carried out openly and in a methodical and scrupulous manner.

109. The Mission had therefore been satisfied that the referendum had been conducted freely, fairly and in accordance with the rules and that the results had reflected the freely expressed wishes of the people of Palau.

110. In conclusion, he expressed the Mission's deep appreciation for the full cooperation it had received at all times from the Government of Palau and from the Administering Authority.

111. The representative of Papua New Guinea 3/ thanked the Trusteeship Council for allowing his delegation to participate in the process of self-determination under the Trusteeship Agreement. His delegation believed, and would continue to believe, that the rights and aspirations of the people of Palau must be the paramount consideration.

112. At the 1680th meeting of the Trusteeship Council, on 30 May 1990, the representative of the United Kingdom, on behalf of China, France and his own delegation, introduced draft resolution T/L.1275 concerning the report of the Visiting Mission. 3/

Decision

113. At its 1681st meeting, on 1 June 1990, the Trusteeship Council adopted draft resolution T/L.1275 without a vote, as resolution 2193 (LVII). 15/ In the operative part of the resolution, the Council took note of the report of the Visiting Mission and expressed its appreciation of the work accomplished by the Mission on its behalf.

F. Offers by Member States of study and training facilities for inhabitants of Trust Territories

114. At its 1677th meeting, on 23 May 1990, the Trusteeship Council considered, under item 7 of its agenda, the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Trust Territories, covering the period from 20 May 1989 to 15 May 1990. 20/

115. During the Trusteeship Council's consideration of this item, the representative of the Soviet Union stated that from the report of the Secretary-General, one could conclude that opportunities for study and training offered by Member States to inhabitants of Trust Territories were not fully utilized.

116. His delegation had noted the significant prevalence of foreign skilled workers in the Trust Territory and had stated that opportunities for study and training offered to the inhabitants of the Trust Territory should be utilized as widely and fully as possible. He drew attention to the Secretary-General's report, which stated that information on scholarships available under the programme had been included in the twenty-sixth edition of Study Abroad (1989/1990/1991), published by the United Nations Educational, Scientific and Cultural Organization (UNESCO). Copies of Study Abroad were sent to the Administering Authority and to United Nations information centres. In that connection, he asked the representative of the Administering Authority how seriously United Nations data on study and training opportunities were taken in the light of the lengthy list of States offering fellowships to inhabitants of the Trust Territory while there was no indication that students from the Territory were studying in those countries.

117. The representative of the United States assured the Trusteeship Council that the Administering Authority ensured citizens of the Trust Territory the same freedom to accept offers of educational programmes as were available to its own citizens. Potential students in Palau were made aware of possibilities for various scholarship or study opportunities abroad. Students from Palau looked in the first instance to English-language training, the common foreign language in the Territory. Opportunities to use other foreign languages would be limited. Hence the majority of students travelling abroad for further study would go to places such as the United States, Australia, New Zealand and the Philippines.

Decision

118. At its 1677th meeting, on 23 May 1990, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General contained in document T/1948. 18/

G. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories

119. At its 1678th and 1679th meetings, on 24 and 29 May 1990, the Trusteeship Council considered, under item 8 of its agenda, the report of the Secretary-General on the item, covering the period from 1 May 1989 to 30 April 1990. 21/

120. Introducing the report of the Secretary-General at the 1678th meeting, 22/ the representative of the Department of Public Information of the Secretariat remarked that his Department continued to service the Trust Territory primarily through the United Nations Information Centre at Tokyo. Over the years, the Director of the Tokyo Centre had visited the Territory to ascertain its needs for United Nations information. The last visit by a Centre Director had been in January 1988. A new Director of the Tokyo Centre would assume that office soon and, taking into account budgetary constraints, would visit the area to evaluate the needs and requirements of the Territory. He pointed out that a number of United Nations agencies and programmes had sent materials directly to the area without going through the Department. While the Department was not in a position to know exactly what had been sent, from anecdotal information he knew that a wide range of material had been distributed in the area.

121. He recalled that at previous meetings of the Trusteeship Council it had been emphasized that radio programmes were perhaps the most important element of the information programme. In an effort to expand its operations in the radio area, the Director of the Department's Information Products Division had discussed the expansion and strengthening of the distribution programme for the Trust Territory with the Tokyo Centre.

122. In response to a specific question raised about distribution to the Northern Mariana Islands at a previous session of the Trusteeship Council, the Department of Public Information had begun distribution to station WSZE in Saipan which had since ceased operations. The Department was currently contacting other stations in the area to replace that station.

123. The representative of the Department of Public Information recalled that at the previous sessions, one member of the Council had requested the Department to assemble a file of all information materials distributed in the Territory during the period under review. That file had been assembled and was available to members in the office of the secretariat of the Council.

124. The Department had regularly instructed its information centres throughout the world to make continuously available constantly used materials such as the Charter, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples. Those items, while not listed in the 1989/90 report, had been distributed and were replenished as needed, not only in the Trust Territory, but in all United Nations information centres.

125. The representative of the Soviet Union expressed satisfaction that the Department had heeded the appeal of the Trusteeship Council for a file of information materials distributed in the Trust Territory.

126. His delegation was also pleased with the statement by the representative of the Department in which the latter had expressed concern about the lack of effective machinery to evaluate the use of material sent to the Territory and efforts being undertaken to correct the situation.

127. He drew attention to the fact that in the annex to the report of the Secretary-General, 21/ no mention had been made of the distribution of constantly used materials such as the Charter, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other documents of fundamental importance to the United Nations and to Member States. He was not entirely convinced that those basic materials were always in sufficient supply and were constantly being supplemented. If there were difficulties in determining the use made of those materials in the Trust Territory, additional measures should be taken to ascertain to what extent the addressees had been receiving that literature. He asked how many of those basic documents had been sent to the Trust Territory to supplement its stock in 1990.

128. The representative of the Department of Public Information stated that the evaluation and use of information materials was very difficult, complicated and very expensive. A sampling large enough to be statistically valid was labour-intensive, costly and difficult. He would welcome any way that the Department could work with the Trusteeship Council, in the context of a future mission or in any other context, to look at the question of effectiveness and evaluation.

129. To determine whether the Department's radio programmes on cassettes were actually played by the stations, responses to its questionnaires had indicated that the stations were receiving the Department's materials and playing them regularly. However, in most cases the Department had no way of verifying that. Some people might simply receive the cassettes, erase the Department's material and then use the cassette for their own purpose. He suspected that happened on occasion. It would be useful for the Director of the Information Centre at Tokyo to visit the area as soon as possible to evaluate the dissemination of written material. Basic United Nations materials such as the Charter and the Universal Declaration of Human Rights were constantly replenished and sent out to the addresses on the mailing list and to the United Nations information centres.

130. The representative of the Soviet Union considered that information regarding those documents should appear in the reports transmitted to the Trusteeship Council. An estimate of the number of addressees receiving United Nations Headquarters material could be made during a regular visiting mission and the United Nations could arrange for an inspection trip by a representative from Headquarters or the Tokyo Centre. He wished to know the procedure for determining the geographical distribution of information, the mailing list and how new addresses were added.

131. The representative of the Department of Public Information stated that at the Tokyo Centre, as in other information centres, the Department was in the process of computerizing statistical information about distribution to obtain a more precise record of material distributed as it endeavoured to fill specific requests for information as quickly as possible despite the very limited staff in the centres.

132. The Secretary of the Trusteeship Council stated that the 33 addresses on the distribution list for documents of the Council included libraries, schools and political institutions throughout the Trust Territory. 11/

133. The Department of Conference Services of the Secretariat regularly sent Trusteeship Council documents to those recipients on a quasi-automatic basis. Throughout the year, the Council secretariat also sent documents to

non-governmental organizations, individuals and other recipients in the Territory or elsewhere in the world. During the United Nations visiting missions in 1989 and 1990, a few organizations and individuals had expressed a desire to receive Council documents. The secretariat accompanying the Mission had taken note of those requests and had prepared an additional list of some 40 other recipients, which included individuals, various organizations, journalists, Palau governmental authorities, members of the national parliament and the governors of the various states in Palau. Since 1989, the Council secretariat had sent reports and other Council documents to all on that new list. Beginning in June 1990, all on that updated general list were to receive Council documents on a regular and quasi-automatic basis as part of the distribution service list.

Decision

134. At its 1679th meeting, on 29 May 1990, the Trusteeship Council decided, without objection, to take note of the report of the Secretary-General contained in document T/1947. 11/

H. Cooperation with the Committee on the Elimination of Racial Discrimination

Second Decade to Combat Racism and Racial Discrimination

135. At its 1678th meeting, on 24 May 1990, the Trusteeship Council decided to consider jointly items 9 and 10 of its agenda: "Co-operation with the Committee on the Elimination of Racial Discrimination" and the "Second Decade to Combat Racism and Racial Discrimination". 22/

Decision

136. At the same meeting, the Trusteeship Council decided, without objection, to take note of those two agenda items. 22/

I. Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

137. At its 1678th meeting, on 24 May 1990, the Trusteeship Council decided to consider jointly items 11 and 12 of its agenda: "Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and "Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples". 22/

138. The representative of the Soviet Union stated that the Trusteeship Council's annual agenda contained those two items. In accordance with United Nations decisions, its bodies dealing with decolonization were called upon to coordinate their efforts in order to help the peoples still under colonial domination and trusteeship to achieve self-determination on the basis of freedom of social and political choice. In the interests of a more effective implementation of the Council's functions, the Council needed to exploit fully the Special Committee's wealth of positive experience and potential by close and fruitful cooperation. The Special Committee was ready to cooperate. He hoped that in order for the Council to carry out the important tasks facing it, the Council and the Special Committee would be able to establish business-like and fruitful cooperation. The Soviet delegation considered that such cooperation would undoubtedly be to the benefit of the Micronesian people.

Decision

139. At its 1681st meeting, on 1 June 1990, the Trusteeship Council decided, without objection, to draw the attention of the Security Council to the deliberations of the Trusteeship Council at its fifty-seventh session concerning the attainment, in accordance with the relevant provisions of the Charter, and in particular Article 83, of self-government or independence by the Trust Territory. 15/

J. Report of the Drafting Committee

140. At its 1679th meeting, on 29 May 1990, the Trusteeship Council decided, without objection, to appoint a Drafting Committee composed of the representatives of France and the United Kingdom to prepare draft conclusions and recommendations for inclusion in the Council's report to the Security Council, based on the discussions that had taken place in the Trusteeship Council at its fifty-seventh session. 11/

141. The Trusteeship Council considered the report of the Drafting Committee at its 1681st meeting, on 1 June 1990. 15/ At that meeting, the representative of France, on behalf of the Drafting Committee, introduced its report. 23/ In the course of his introduction, he orally revised paragraph 1 of the annex to the report. 24/

142. The representative of the Soviet Union, in explanation of vote before the voting, noted as a positive point that the atmosphere at the current session of the Trusteeship Council had been such that broader consultations had taken place. He paid tribute to the efforts made during consultations and hoped that the practice would be broadened and strengthened in the future.

143. As regards the draft conclusions and recommendations to be included in the Trusteeship Council's report, the Soviet delegation stated that the draft did have some obvious shortcomings such as the linkage with Council resolution 2183 (LIII) of 28 May 1986. He noted that there were no grounds for that linkage. The drafting of a mutually acceptable text was apparently hampered by stereotypes, and he appealed to the Council to search for mutually acceptable decisions and to overcome outmoded stereotypes.

144. The Soviet representative stated that his delegation would abstain in the vote on the draft conclusions and recommendations. Whatever the Trusteeship Council's resolution might say, his delegation wished to reaffirm its position of principle that under the Charter, the status of the Trust Territory of the Pacific Islands could be changed only by a decision of the Security Council.

Decisions

145. At its 1681st meeting, on 1 June 1990, the Trusteeship Council decided, without objection, to waive rule 57 of its rules of procedures, which specifies that copies of reports and draft resolutions should be circulated to the members 24 hours in advance of the meeting at which they are to be considered. 15/

146. At the same meeting, 15/ the Trusteeship Council adopted, by 4 votes to none, with 1 abstention, the draft conclusions and recommendations contained in the annex to the report of the Drafting Committee, 23/ as orally revised. 24/ The Council further decided that the conclusions and recommendations should constitute part II of its report on its fifty-seventh session to the Security Council. 25/

147. In explanation of vote after the vote, the representative of China stated that his delegation had voted in favour of the draft conclusions and recommendations on the basis of its support for the principle of the Palauan people's right to self-determination. A solution should be found for Palau's future political status based on full respect for the wishes of the Palauan people themselves.

148. His delegation hoped that the Administering Authority would strictly fulfil its responsibilities under the Charter and the Trusteeship Agreement in such a way that the Palauan people would be able to achieve self-determination at an early date. In view of the concerns expressed over the future establishment of military installations in Palau, the Chinese delegation was of the opinion that there was a need for serious consideration of that matter.

149. The representative of the United States, in explanation of vote after the vote, praised the efforts of the Drafting Committee to achieve a text that might have been adopted with the full support of all members of the Trusteeship Council. He regretted that was not possible and reasserted his delegation's strong belief that the reference to Council resolution 2183 (LIII) was entirely appropriate and necessary for a proper set of conclusions and recommendations on that subject.

K. Adoption of the report of the Trusteeship Council to the Security Council

150. At its 1682nd meeting, on 28 November 1990, the Trusteeship Council considered the draft report on its fifty-seventh session to the Security Council.

Decision

151. At its 1682nd meeting, on 28 November 1990, the Trusteeship Council adopted the present report, as a whole, without a vote. 26/

PART II. CONCLUSIONS AND RECOMMENDATIONS

152. At its 1681st meeting, on 1 June 1990, the Trusteeship Council adopted, by 4 votes to none, with 1 abstention, the following draft conclusions and recommendations (see part I, sect. J):

"A. Political advancement

"1. The Trusteeship Council notes its resolution 2183 (LIII) of 28 May 1986.

"2. The Council notes that at the plebiscite held in Palau on 6 February 1990, the Compact of Free Association did not obtain the 75 per cent majority necessary for ratification. It notes also the statement of the representative of the Government of Palau in the Trusteeship Council on 21 May 1990 that the leadership of Palau is currently reviewing possible options with respect to the resolution of Palau's future political status. In this regard, it welcomes the assurance of the Administering Authority in its annual report on the Trust Territory 4/ that it is prepared to assist the Government of Palau, at its request, in any appropriate endeavour leading to the final determination of a political status chosen by the people of Palau.

"B. Economic, social and educational advancement

"3. The Council notes that the peoples of the Trust Territory, in the exercise of their right to self-government as set out in Article 76 b of the Charter of the United Nations, have elected to assume full responsibility for administration in the economic, social and educational fields.

"4. The Council considers that any difficulties over the interpretation of the new status agreements should be resolved bilaterally by the parties concerned in accordance with the procedures mutually agreed and laid down in the relevant new status agreements.

"5. The Council notes the concerns of the Government of Palau regarding economic development and self-sufficiency. It shares the view that continued efforts are needed in this regard. It welcomes the recent improvements reported in the tourism and fisheries sectors.

"6. The Council welcomes the steps taken by the Administering Authority to assist Palau in particular in the areas of fisheries enforcement, the campaign against drug trafficking and abuse, public health and safety, and the operation and maintenance of public works facilities. It hopes that further progress will continue to be made in these fields.

"C. General

"7. The Council notes with satisfaction the assurances given by the Administering Authority that it will continue to fulfil its responsibilities under the United Nations Charter and under the Trusteeship Agreement." 1/

Notes

1/ See T/PV.1674.

2/ T/1949 and Add.1.

3/ See T/PV.1680.

4/ 1989 Trust Territory of the Pacific Islands, October 1, 1988 to September 30, 1989, forty-second annual report to the United Nations on the administration of the Trust Territory of the Pacific Islands, transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations (Department of State publication No. 9742). Copies were transmitted to members of the Trusteeship Council by document T/1944 and to members of the Security Council by document S/21242.

5/ The Compact of Free Association between Palau and the United States is described in the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1983 (Official Records of the Trusteeship Council, Fiftieth Session, Supplement No. 3 (T/1851)). Amendments to the Compact, agreed to in January 1986, are contained in the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1986 (*ibid.*, Fifty-third Session, Supplement No. 2 (T/1885)).

6/ Official Records of the Trusteeship Council, Fifty-seventh Session, Supplement No. 1 (T/1942 and Corr.1).

7/ Trusteeship Agreement for the Trust Territory of the Pacific Islands (United Nations publication, Sales No. 1957.VI.A.1).

8/ Official Records of the Security Council, Forty-fourth Year, Special Supplement No. 1 (S/20843).

9/ *Ibid.*, para. 172.

10/ Official Records of the Trusteeship Council, Fifty-seventh Session, Supplement No. 1 (T/1942 and Corr.1), para. 51.

11/ See T/PV.1679.

12/ For the text of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, see Official Records of the Trusteeship Council, Forty-second Session, Sessional Fascicle, annexes, document T/1759.

13/ See T/PV.1673.

14/ T/L.1274.

15/ See T/PV.1681.

16/ For further details, see T/PV.1675, T/PV.1676 and T/PV.1680.

Notes (continued)

17/ For further details, see T/PV.1677 and T/PV.1680.

18/ See T/PV.1677.

19/ For further details, see T/PV.1674, T/PV.1677, T/PV.1678, T/PV.1680 and T/PV.1681.

20/ T/1948.

21/ T/1947.

22/ T/PV.1678.

23/ T/L.1276.

24/ See T/L.1276/Rev.1.

25/ The present report.

26/ See T/PV.1682.

Annex I

AGENDA OF THE FIFTY-SEVENTH SESSION, ADOPTED BY THE TRUSTEESHIP
COUNCIL AT ITS 1674th MEETING, ON 21 MAY 1990

1. Adoption of the agenda.
2. Report of the Secretary-General on credentials.
3. Election of the President and the Vice-President.
4. Examination of the annual report of the Administering Authority for the year ended 30 September 1989: Trust Territory of the Pacific Islands.
5. Examination of petitions. a/
6. Report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990 (T/1942).
7. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General (General Assembly resolutions 557 (VI) and 753 (VIII)).
8. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General (Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII)).
9. Cooperation with the Committee on the Elimination of Racial Discrimination (General Assembly resolutions 2106 B (XX) and 44/68).
10. Second Decade to Combat Racism and Racial Discrimination (General Assembly resolutions 3057 (XXVIII) and 44/52).
11. Attainment of self-government or independence by the Trust Territories (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolutions 1514 (XV) and 44/101).
12. Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1654 (XVI)).
13. Adoption of the report of the Trusteeship Council to the Security Council (Security Council resolution 70 (1949)).

Notes

a/ See T/INF/38 and Add.1. To be incorporated in Official Records of the Trusteeship Council, Twentieth Special Session, Fifty-seventh Session and Fifty-eight Session, Sessional Fascicle.

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